

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN RE VALVE ANTITRUST LITIGATION

No. 2:21-cv-00563-JCC

**STIPULATION AND (PROPOSED)  
ORDER RE: CLASS CERTIFICATION  
BRIEFING**

**NOTE ON MOTION CALENDAR:  
FEBRUARY 1, 2024**

The Parties have met and conferred with respect to the upcoming briefing on class certification, and to discuss filing and sealing confidential material in connection with the class certification briefing. The Parties have agreed to the following procedure, and respectfully request the Court enter an order reflecting the Parties' stipulation.

1. In light of the number of issues likely to be raised in the class certification briefing, the parties agree there is good cause to increase the word count limit beyond that in the Local Rules and propose that the class certification opening and opposition briefs shall be limited to 11,000 words. Plaintiffs' reply shall be limited to 5,500 words.

2. As a result of the meet and confer, the Parties expect that their briefs, expert reports, and declarations will quote from, and substantially paraphrase, confidential and highly confidential – attorney’s eyes only material.

3 As a practical matter, in order to permit the upcoming briefing on class certification to proceed in a manner that protects the Parties’ confidential and highly confidential – attorney’s eyes only material and complies with LCR 5(g) and the Stipulated Protective Order, Dkt. No. 95, the Parties propose the following.

A. Pursuant to LCR 5(g)(2), the Court orders that each Party may initially file under seal class certification briefs (including opening briefs, opposition briefs, and reply briefs), expert declarations or reports, exhibits, and all other evidence and declarations on which the Party relies.

B. Within ten (10) days of each class certification filing, pursuant to LCR 5(g)(5), the Parties will meet and confer and, as appropriate, file replacement briefs, expert declarations or reports, exhibits, evidence, and declarations with necessary redactions, and a corresponding motion to seal pursuant to LCR 5(g)(3).

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 1st day of February, 2024.

/s/ Alicia Cobb

Alicia Cobb, WSBA #48685  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
1109 First Avenue, Suite 210  
Seattle, Washington 98101

/s/ Stephanie L. Jensen

Stephanie L. Jensen, WSBA #42042  
WILSON SONSINI GOODRICH &  
ROSATI P.C.  
701 Fifth Avenue, Suite 5100  
Seattle, WA 98104-7036

Phone (206) 905-7000  
Fax (206) 905-7100  
aliciacobb@quinnemanuel.com

Steig D. Olson (*pro hac vice*)  
David LeRay (*pro hac vice*)  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
51 Madison Avenue  
New York, New York 10010  
Phone (212) 849-7231  
Fax (212) 849-7100  
steigolson@quinnemanuel.com

Adam Wolfson (*pro hac vice*)  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
865 S. Figueroa St., 10th Floor  
Los Angeles, California 90017  
Phone (213) 443-3285  
Fax (213) 443-3100  
adamwolfson@quinnemanuel.com

Charles Stevens (*pro hac vice*)  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
50 California St., 22nd Floor  
San Francisco, CA 94111  
Phone (415) 875-6600  
Fax (415) 875-6700  
charliestevens@quinnemanuel.com

Ankur Kapoor (*pro hac vice*)  
Noah Brecker-Redd (*pro hac vice*)  
CONSTANTINE CANNON LLP  
335 Madison Avenue, 9th Floor  
New York, NY 10017  
Phone (212) 350-2700  
Fax (212) 350-2701  
akapoor@constantinecannon.com

Wyatt Fore (*pro hac vice*)  
CONSTANTINE CANNON LLP  
1001 Pennsylvania Ave., 22nd Floor  
Washington, D.C. 20004  
Phone (202) 204-3500  
Fax (202) 204-3501  
wfore@constantinecannon.com

Phone (206) 883-2500  
Fax (206) 883-2699  
sjensen@wsgr.com

Kenneth R. O'Rourke (*pro hac vice*)  
Scott A. Sher (*pro hac vice*)  
Allison B. Smith (*pro hac vice*)  
WILSON SONSINI GOODRICH &  
ROSATI, P.C.  
1700 K Street, NW, Suite 500  
Washington, DC 20006  
Phone (202) 973-8800  
Fax (202) 973-8899  
korourke@wsgr.com  
ssher@wsgr.com  
allison.smith@wsgr.com

W. Joseph Bruckner (*pro hac vice*)  
Joseph C. Bourne (*pro hac vice*)  
LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
100 Washington Avenue S, Suite 2200  
Minneapolis, MN 55401  
Phone: (612) 339-6900  
Fax: (612) 339-0981  
wjbruckner@locklaw.com  
jcbourne@locklaw.com

*Proposed Interim Co-Lead Counsel*

/s/ Blake Marks-Dias  
Blake Marks-Dias, WSBA No. 28169  
Eric A. Lindberg, WSBA No. 43593  
CORR CRONIN LLP  
1015 Second Avenue, Floor 10  
Seattle, WA 98104  
(206) 625-8600 Phone  
(206) 625-0900 Fax  
bmarksdias@corrchronin.com  
elindberg@corrchronin.com

Kristen Ward Broz  
FOX ROTHSCHILD LLP  
2020 K. St. NW, Ste. 500  
Washington, DC 20006  
Telephone (202) 794-1220  
Fax (202) 461-3102  
kbroz@foxrothschild.com

*Proposed Interim Co-Lead Counsel*

Kenneth J. Rubin (*pro hac vice*)  
Timothy B. McGranor (*pro hac vice*)  
Kara M. Mundy (*pro hac vice*)  
VORYS, SATER, SEYMOUR AND  
PEASE LLP  
52 East Gay Street  
Columbus, Ohio 43215  
Phone (614) 464-6400  
Fax (614) 719-4796  
kjrubin@vorys.com  
tbmcgranor@vorys.com  
kmmundy@vorys.com

Charles B. Casper (*pro hac vice*)  
MONTGOMERY McCRACKEN WALKER  
& RHOADS LLP  
1735 Market Street, 21st Floor  
Philadelphia, PA 19103  
Telephone (215) 772-1500  
ccasper@mmwr.com

*Attorneys for Defendant Valve Corporation*

Thomas N. McCormick (*pro hac vice*)  
VORYS, SATER, SEYMOUR AND  
PEASE LLP  
4675 MacArthur Court, Suite 700  
Newport Beach, California 92660  
Phone (949) 526-7903 | Fax (949) 383-2384  
tnmccormick@vorys.com

*Proposed Interim Executive Committee  
Member*

PURSUANT TO STIPULATION, IT IS SO ORDERED that:

1. The class certification opening and opposition briefs shall be limited to 11,000 words. Plaintiff's reply shall be limited to 5,500 words.

2. The Parties are permitted to initially file class certification briefs (including opening briefs, opposition briefs, and reply briefs), expert declarations or reports, exhibits, and all other evidence and declarations on which the Party relies, under seal.

3. The Parties shall meet and confer. Within ten (10) days of such filings, the Parties will, as appropriate, file replacement briefs, expert reports, exhibits, evidence, and declarations with necessary redactions, and a corresponding motion to seal.

DATED this \_\_\_\_ day of February 2024.

	<hr/> John C. Coughenour UNITED STATES DISTRICT JUDGE
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